



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for Children & Families

Refer to: HW130

Region IX
50 United Nations Plaza
San Francisco, CA 94102

November 3, 2003

Certified Mail

Lillian B.Koller, Director
Department of Human Services
P.O. Box 339
Honolulu, Hawaii 96809-0339

Dear Ms. Koller:

The Administration for Children and Families (ACF) in collaboration with the Hawaii Department of Human Services (DHS) recently completed a review of Hawaii's Child and Family Services programs to determine substantial conformity with State plan requirements found in titles IV-B and IV-E of the Social Security Act. This review was initiated in October 2002 when we provided the State with the first Data Profile, which provided aggregate statewide data regarding the safety, permanency, and well-being of children involved with the DHS. A second data profile was used as part of the statewide assessment submitted in May 2003. During the week of July 14, 2003, an on-site review of 50 cases and interviews with approximately 66 key stakeholders was completed as part of the Child and Family Services Review (CFSR) process. The final CFSR report is enclosed.

We appreciate the amount of time and effort that the State has committed to planning and implementing the CFSR. While this is a joint Federal/State team effort, we would especially like to thank Amy Tsark, Gibby Fukutomi, Irene Park, the Section Administrators and other staff who prepared and carried out this review.

Although we determined that the DHS is operating in substantial conformity in only one outcome factor (Well Being 2,) and two systemic factors of the CFSR (Statewide Information System and Agency Responsiveness to the Community), the following areas were identified as strengths of the State's child welfare system:

- Providing services to families to prevent children's removal from home.
- Placing children in close proximity to their parents or close relatives.
- Placing siblings together in foster care.
- Locating and assessing relatives as potential placement resources.
- Providing a process for periodic review of the status of each child.
- Providing permanency hearings 12 months from children entering foster care and at least every 12 months thereafter.
- Terminating parental rights in accordance with provisions of the Adoption and Safe Families Act.

- Consulting with service providers, juvenile court and other public agencies in developing the goals and objectives of the Child and Family Service Plan (CSFP).
- Consulting with agencies on annual reports of progress and services delivered pursuant to the CSFP.
- Implementing reasonable standards for foster family homes and child care institutions.
- Performing background clearances for licensing foster family homes and approving adoptive homes.
- Utilizing cross-jurisdictional resources to facilitate timely adoption or permanent placements for waiting children.

As indicated in the report, we have determined that the DHS is **not operating in substantial conformity in six of the seven outcome areas and five of the seven systemic factors**. A Program Improvement Plan (PIP) is required to address each outcome and systemic factor determined not to be in substantial conformity. The PIP must be submitted to my Office for approval within 90 calendar days from the receipt of this letter. In accordance with 45 CFR 1355.36, we estimate a minimum penalty of \$534,567 is applicable for this level of non-conformity. We will suspend withholding of funds associated with this penalty during the period of an approved PIP. If we determine that the State is successful in rectifying the areas of non-conformity, either through successful completion of the PIP or through a subsequent review, we will rescind the penalty at that time.

My staff will assist the State in developing the PIP to ensure that the DHS establishes an action strategy for bringing each of the identified areas up to a level of substantial conformity as specified in 45 CFR 1355.35. To the extent possible, those involved in the CFSR planning process and members of the review team, including those who are not employees of the DHS, such as representatives from the Citizen Review Panels, Court Improvement Program, Mental Health, Public Health, and statewide foster parent and foster youth associations, should be actively involved in developing the PIP.

The major elements of the PIP include the following:

- identification of areas of the State's program that are not in substantial conformity and the priority assigned to the State's work on each area of non-conformity;
- identification of target goals and expected outcomes;
- the necessary action steps associated with improving each area of non-conformity;
- establishment of time frames for carrying out the required improvements;
- establishment of measurable benchmarks to track progress that the statewide data will make toward meeting the national standards;
- identification of the individuals responsible for carrying out the various steps;
- identification of the geographical areas of the State involved; and

- description of the methods that will be used to evaluate progress.

Federal regulations at 45 CFR 1355.37 require that the State make available for public review and inspection the statewide assessment, report of findings, and the PIP developed as a result of a CFSR. Since the information is available to the public, the Administration for Children and Families is obliged to respond to inquiries regarding such information as well. The Hawaii CFSR report will be available by posting on the Internet at <http://cb1.acf.dhhs.gov/programs/cb/cwrp/staterpt/index.htm>.

The State may also enter into a voluntary PIP to strengthen any areas that were determined to be in substantial conformity as noted in the enclosed report, according to 45 CFR 1355.35(b). We will be happy to discuss the provisions for developing a voluntary PIP at your request.

The next full CFSR of Hawaii will take place two years from approval of the PIP in accordance with 45 CFR 1355.32(b)(2). My staff will be in contact with Ms. Tsark and her staff regarding the development of the PIP. We will continue to work collaboratively to assist in the State's efforts to ensure the safety, permanency and well-being of children and families in Hawaii. If you have any questions, feel free to call me at (415) 437-8400.

Sincerely,

[Original signed by]

Sharon M. Fujii
Regional Administrator

Enclosure

cc: Joan Ohl, Commissioner, Administration on Children, Youth, and Families,
Susan Orr, Associate Commissioner, Children's Bureau
Amy Tsark, Branch Administrator, Social Services Division
Pat Snyder, Division Administrator, Social Services Division
Gibby Fukutomi, Planner, Social Services Division
Diann Dawson, Director, Office of Regional Operations,